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Tribal court studies (continued from page 19)

resolved using restorative justice principles in state court or referring cases to tribal court jurisdiction. Many MCA cases will still be handled by the state court system, even in rural areas. Some tribal courts may even choose to address minor alcohol consumption situations without resort to the state court system, though the extent to which these may be informal resolutions as opposed to tribal court proceedings could become an issue from a research perspective. Regardless, the range of options should provide a solid comparison of effectiveness between different methods of adjudication with substantial sample sizes while still retaining a core control group.

Because widely different remedies will be adopted by these alternate sentencing methods, the effectiveness of each might be difficult to study unless some commonalities between remedies can be found with large enough sample sizes. Indeed, this aspect may be better studied qualitatively than quantitatively. Yet, valuable insights can be gained on the effectiveness of tribal courts and restorative justice principles by examining recidivism rates when these methods are implemented, independent of the actual alternate sentence employed. Minor consuming alcohol cases could potentially provide the research tool to achieve sample sizes of statistical reliability.

Conclusion

People who advocate for and participate in tribal court proceedings intuitively believe

that they are effective. But there is little empirical research to support this. The few studies that have been conducted tend to support the notion that tribal courts can be more effective than Western-style courts, though more work needs to be done in this area. Although there are challenges in structuring a research study of Alaska tribal courts, there

are ways to meet these challenges. Minor consuming alcohol cases might be a tool for creating a statistically reliable study of tribal court effectiveness in Alaska.

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Rural Governance Report 2014

Mara Kimmel

Empowering rural people through strengthening rural governance systems—in accordance with the mandate of the Constitution of the State of Alaska—was the underlying theme throughout the recommendations of the 1999 Rural Governance and Empowerment Commission (RGC). Almost all of the RGC's original recommendations remain pertinent today. There is a pressing need to identify and advance effective solutions to rural concerns, particularly in the area of public safety. Gathering in 2013, a group of committed Alaskans—including Alaska Native leaders, rural residents, local government officials, former legislators and state government officials, and academics—revisited the 1999 report and identified the following pathways necessary to ensure public safety for rural Alaskans:

- **Reform state-tribal relations.** Recognize tribes as governments, support tribal public safety programs, and clarify and empower tribal jurisdiction to eliminate barriers to justice in rural Alaska.

- **Strengthen Alaska Native culture.** Cultural integrity is a powerful tool in attaining educational or academic success and in combatting high rates of suicide and crime.

Language, dance, art, and other forms of cultural education are essential.

- **Reconfigure state systems to work with and for Native cultures, not against them.** Strong cultures mean safe communities, and our state justice institutions should be responsive to the variety of cultures throughout our state.

- **Expand tribal compacting.** Federal and state governments could enter into formal agreements (compacts) with tribes to share resources to fill the gap in rural public safety needs not met by government systems.

- **Build Native leadership.** Alaska Natives need to continue to grow culturally-connected, strong, compassionate leaders, as they have for the last 10,000 years. Alaskans from both Native and non-Native populations need to work together to find committed leaders to face statewide challenges and amplify the help we give each other across the state.

The full report, *Rural Governance Remains Unfinished Business in Alaska—A Call to Action*, can be accessed at <http://www.ruralgov.org/>.

Mara Kimmel is a visiting scholar at the UAA Institute of Social and Economic Research and was among the 50 Alaskans who participated in the 2013 reconvening of the RGC.